

SDP/ENFORCEMENT PANEL WORKSHEET

EA:

Date of Panel:

Licensee:

Facility/Location:

License Type (non-reactor):

Docket No(s):

License No(s):

Inspection/OI Report No(s):

Date of Exit Meeting/OI Report Date:

Panel Chairman (SES Sponsor):

Responsible Branch Chief/Lead Inspector:

Enforcement Representative:

Other regional attendees:

Headquarters attendees:

INSTRUCTIONS: Complete by selecting the line after the item specific instructions and providing the requested information. After the form is completed, select "View" on the WP menu and then "Hidden Text," which will hide all instructions.

1. Brief Summary of Issues/Potential Violations:

Always include a short statement of the issue/violation. Reference and attach draft NOV. For NCVs, clearly indicate requirement that was violated, how the requirement was violated, etc. If you cite a document in the NOV, an excerpt with the material used should be included in the reference material. If available, attach sections of the draft inspection report or summary of inspection findings. Also provide any applicable LERs, licensee correspondence, etc.

2. Purpose of Panel:

Identify why this issue is being brought to the panel (e.g. escalated enforcement for a potential Severity Level I, II, or III violation; proposed Level IV classification for a violation that fits an example of a Severity Level III in the policy supplements; a willful violation; a 10CFR50.59 violation; a white, yellow, or red SDP finding; a green SDP finding when a citation, rather than an NCV is proposed; certain exercises of discretion, etc.).

3. Regional Recommended Enforcement Strategy:

Describe:

1. the proposed enforcement action (i.e., NOV/NCV, severity level/color, proposed civil penalty, exercise of discretion);
2. whether a predecisional enforcement conference, regulatory conference, choice letter or choice call is necessary; and
3. whether action is warranted against any individual

4. Analysis of Significance/Root Cause:

a. Actual Consequence:

b. Potential Consequence(s)

Include consideration of risk information. For SDP cases, attach worksheets, if applicable, or describe significance determination. For other cases, provide qualitative description of risk significance

c. Potential for Impacting Regulatory Process:

d. Willful Aspects:

e. Root Cause(s):

(If known)

5. Apparent Severity Level(s)/Color and Basis:

Indicate proposed severity level or color for each violation or group of violations. Reference examples from Enforcement Policy supplement or SDP worksheet, as applicable. Indicate reason for increasing or decreasing the severity level (e.g. willfulness).

6. Application of Enforcement Policy

These items should be addressed for each violation or group of violations. These items are optional for SDP cases, but should be completed if information is relevant to recommended strategy (i.e. applicable to cross-cutting issues).

a. Enforcement/Performance History:

List enforcement actions (SL III or above, Orders, similar violations, etc.) for last 2 years/2 inspections. Also include any prior white, yellow, or red SDP findings that impact the Action Matrix.

b. Is Credit Warranted for Identification? Explain:

Describe method of identification (NRC, licensee, revealed through event, allegation, etc.). Describe any missed opportunities to identify the violation earlier. Not applicable for SDP cases.

c. Is Credit Warranted for Corrective Actions? Explain:

Describe whether the actions were prompt and comprehensive. Not applicable for SDP cases.

d. Should Discretion Be Exercised to Mitigate or Escalate Sanction?

Consider issues in Appendix E, "List of Issues That May Warrant Discretion." If yes, identify issue and briefly explain. NOTE: Mitigation factors are not normally applicable for SDP cases.

7. Is action being considered against individuals?

If so, complete and attach, "Factors for the Sanction in Actions Against Individuals, included in Appendix E, and provide recommended strategy in section 3.

8. Non-Routine Issues/Additional Information/Relevant Precedent/Lessons Learned:

Is generic communication (IN, GL, etc.) needed for this issue? Is inspection or enforcement guidance needed? Is there a need for NRR or NMSS programmatic guidance or interpretation of requirements? Is there a relevant precedent? If so, include the EA# for the previous case and brief summary of enforcement action. Are there any other lessons learned? Are these issues related to an allegation? Is there any other information about this case that should be considered and is important to note?